

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JAMES MICHAEL STEVENSON,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Case No. 10-15096  
Honorable Patrick J. Duggan

Defendant.

---

**OPINION AND ORDER (1) ADOPTING MAGISTRATE JUDGE MONA K.  
MAJZOUB'S REPORT AND RECOMMENDATION DATED NOVEMBER 21,  
2011; (2) DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT;  
AND (3) GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

On December 23, 2010, Plaintiff filed this lawsuit challenging a final decision of the Commissioner denying Plaintiff's application for Social Security Disability Insurance Benefits. On June 1, 2011, Plaintiff filed a motion for summary judgment. On July 1, 2011, Defendant filed a motion for summary judgment. This matter has been referred to Magistrate Judge Mona K. Majzoub for determination of all non-dispositive motions pursuant to 28 U.S.C. § 636(b)(1)(A) and issuance of a Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B) and (C).

On November 21, 2011, Magistrate Judge Majzoub filed a Report and Recommendation (R&R) recommending that this Court deny Plaintiff's motion for summary judgment and grant Defendant's motion. (Doc. 10.) At the conclusion of the R&R, Magistrate Judge Majzoub advises the parties that they may object and seek review

of the R&R within fourteen days of service upon them. (*Id.* at 12.) She further specifically advises the parties that “[f]ailure to file specific objections constitutes a waiver of any further right to appeal.” (*Id.*, citing *Thomas v. Arn*, 474 U.S. 140 (1985); *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991).) Neither party filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Majzoub.

Accordingly,

**IT IS ORDERED**, that the Court adopts the recommendations in Magistrate Judge Mona K. Majzoub’s November 21, 2011 Report and Recommendation;

**IT IS FURTHER ORDERED**, Plaintiff’s motion for summary judgment is **DENIED**;

**IT IS FURTHER ORDERED**, that Defendant’s motion for summary judgment is **GRANTED**.

Date: February 15, 2012

s/PATRICK J. DUGGAN  
UNITED STATES DISTRICT JUDGE

Copies to:  
Mikel E. Lupisella, Esq.

AUSA Derri T. Thomas

Magistrate Judge Mona K. Mazjoub